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Report of the Secretary-General on the United Nations Mission in the Central African Republic and in Chad (MINURCAT)

I. Introduction

1. The present report is submitted pursuant to Security Council resolution 1861 (2009) of 14 January 2009, by which the Council extended the mandate of the United Nations Mission in the Central African Republic and Chad (MINURCAT) until 15 March 2010 and resolution 1913 (2010) of 12 March 2010 by which the Council extended the mandate of MINURCAT until 15 May 2010. This report provides an update on developments related to the implementation of the mandate of MINURCAT since my last report dated 14 October 2009 (S/2009/535) and recommendations for the tasks and configuration of MINURCAT after the expiration of its present mandate on 15 May 2010.

II. Political and security developments

A. Relations between Chad and the Sudan

2. During the reporting period, relations between the Governments of Chad and the Sudan improved significantly. The Governments of Chad and the Sudan signed an agreement in N'Djamena on 15 January 2010, with the view to normalizing their bilateral relations. They agreed, inter alia, to deny rebel groups the use of their territories and to work towards their disarmament. In accordance with the agreement, they deployed a joint border force of 3,000 troops with a view to denying the cross-border movement of armed elements and stemming their criminal activities. The force operates under a joint command based for an initial period of six months in El Geneina, in Darfur, and then Abéché, in eastern Chad. The visit of President Idriss Déby Itno to Khartoum from 8 to 9 February — the first such visit since 2004 and the first meeting between the two Heads of State since March 2008 — was a major step in strengthening bilateral relations between the two countries. This visit was followed by the appointment, on 15 February, of a Chadian Ambassador to Khartoum. On 10 April, the border between the two countries reopened for the first time since 2003 at three points, and the cross-border trade has resumed.

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3. In accordance with the 15 January agreement, Chad and the Sudan have facilitated talks with their respective rebel groups. The Framework Agreement to Resolve the Conflict in Darfur, which was signed by the Government of the Sudan and the Justice and Equality Movement (JEM) on 23 February in Doha, was negotiated on 20 February 2010 in N'Djamena, under the auspices of President Idriss Déby Itno. President Déby also facilitated talks with JEM in March in N'Djamena. From 1 to 4 April, a Chadian delegation met representatives of the Union des forces de la résistance (UFR) and the Résistance nationale armée (RNA) in Khartoum, with the facilitation of the Government of the Sudan. Although the meeting was reportedly inconclusive, Government and the armed opposition groups have indicated that they remain committed to dialogue.

B. 13 August agreement

4. During the period under review, progress was made in implementing the 13 August agreement between the Government of Chad and political opposition. On 7 January 2010, the Independent National Electoral Commission published a timetable for the elections by which voter registration would take place between 21 March and 9 May 2010; parliamentary and local elections would be held on 28 November and 12 December 2010, respectively; and the first and second rounds of presidential elections would be held on 23 April and 12 June 2011.

C. Developments in north-eastern Central African Republic

5. During the period under review, the security situation in the MINURCAT area of operations in north-eastern Central African Republic remained unstable. On 22 and 23 December 2009, unidentified armed elements attacked Ouanda-Djalle and Sam Ouandja (200 km south of Birao), forcing residents to flee. MINURCAT deployed a military detachment to Sam Ouandja from 14 December 2009 to 23 January 2010 to deter violence against civilians and on 23 and 24 December relocated 14 humanitarian staff to Birao. On 16 March 2010, two international NGO workers, who had been kidnapped in Birao on 22 November 2009, were released in Darfur.

6. At least three Central African Republic militias continued to be present in and around the area of operations of MINURCAT: Union des forces démocratiques pour le Rassemblement (UFDR), the Union des Mouvements Démocratiques et Républicains (UMDR) and Convention des Patriotes pour la Justice et la Paix (CPJP); bandits from several neighbouring States were also still present. The Central African Republic security forces present in the area are extremely limited. The absence of State authority in north-eastern Central African Republic continued to raise concern about the use of the tri-border area as a safe haven for Central African and foreign armed groups.

D. Humanitarian situation

7. At least half a million people are still in need of humanitarian assistance in eastern Chad. Some 70 humanitarian organizations provide assistance to 249,242 Sudanese refugees residing in 12 camps located along the border with the Sudan,

over 62,019 Central African Republic refugees at 13 camps in Southern Chad, about 168,000 internally displaced persons (IDPs) located in 38 sites in eastern Chad, and around 150,000 people in host communities. In north-eastern Central African Republic, there are approximately 3,500 Sudanese refugees near Sam Ouandja in the MINURCAT area of operations.

8. Humanitarian actors continue to be concerned by the food insecurity and malnutrition in the country following a bad agricultural campaign that resulted in a 34 per cent decrease of agricultural production compared to last year. Furthermore, pockets of high malnutrition rates between 20 and 29 per cent of general acute malnutrition have been recorded in several parts of the country. An estimated 2 million people are at risk of food insecurity. Early this year the Central Emergency Relief Fund allocated over $3.8 million to humanitarian agencies in Chad. The World Food Programme has been providing nutrition and health services for 34,400 children under five, 19,500 pregnant and lactating women, and 3,500 caretakers of children admitted to therapeutic feeding centres. UNICEF-supported health and nutrition projects have been benefiting 10,800 severely malnourished children.

9. The consolidated appeal for Chad for 2010, seeking $458 million to support emergency relief activities while emphasizing measures to increase the self-sufficiency and capacities of people affected by the crisis, is currently 38 per cent funded. In March 2010, the Central Emergency Relief Fund allocated an additional $7 million to Chad for its underfunded humanitarian programmes, which target approximately 800,000 people.

III. Implementation of the mandate of MINURCAT

A. Deployment of the force

10. In establishing the military component of MINURCAT under resolution 1861 (2009), the Security Council mandated the Mission to help create security conditions conducive to the voluntary, secure and sustainable return of refugees and displaced persons, inter alia, by contributing to the protection of refugees, IDPs and civilians in danger, facilitating the provision of humanitarian assistance in eastern Chad and north-eastern Central African Republic and creating conditions favourable to the reconstruction and the economic and social development of those areas. The Council also endorsed the benchmarks provided in my report of 4 December 2008 (S/2008/760) towards the exit strategy of MINURCAT with the view to meeting them by March 2011.

11. The pace of the deployment of the MINURCAT force picked up during the reporting period and its activities on the ground increased. During the period, the main bodies of the Ghanaian and Nepalese infantry battalions were deployed to the area of operations, as well as Cambodian and Sri Lankan movement control contingents, a Sri Lankan aero-medical team, a Bangladeshi aviation unit and the advanced party of a Mongolian infantry battalion. The force carried out 1,570 escorts, 56 convoys, 8,780 short-range patrols, 1,762 long-range patrols and 258 helicopter operations, which is a 320 per cent increase in convoys and escorts, 202 per cent increase in patrols and 310 per cent increase in helicopter patrols compared to the last reporting period. Since January 2010, the force had been averaging 250 escorts for humanitarian assistance per month.

12. Following the request of the Government of Chad, transmitted in a note verbale dated 15 January 2010, that the United Nations commence "negotiations" to determine the modalities for a withdrawal of MINURCAT, all new deployment actions were put on hold. In that connection, the deployment of the remaining 535 troops of the Mongolian contingent was halted and their contingent-owned equipment is currently securely stored in the port of Tianjin in China; 300 Namibian troops were not deployed to the southern sector and their contingent-owned equipment is currently being held at the port of Douala in Cameroon. The deployment of 100 troops of a Paraguayan airfield engineer contingent, 50 troops of a Senegalese signals unit and 245 troops of a Pakistani transport company with contingent-owned equipment has also been put on hold.

13. As at 22 April 2010, the total strength, both infantry and enabling troops, of the MINURCAT force stood at 3,442, which is 66.2 per cent of the mandated strength of 5,200 troops. The strength was expected to reach 4,850, or 93 per cent of the authorized strength, by 15 May 2010.

14. By 15 March 2010, all MINURCAT operational bases had been established and, on average, 75 per cent of infantry troops had been deployed to the sectors, with 44 per cent in Sector North, 100 per cent in Sector Centre, 71 per cent in Sector South, and nearly full deployment in Birao.

15. The MINURCAT force has undertaken high visibility patrolling, both by day and night, across the entire area of operations to deter criminal and armed activities, including areas surrounding IDPs and refugee camps and main supply routes; the provision of escorts to humanitarian agencies and United Nations personnel; and convoys and security support for humanitarian activities. Maintaining readiness to undertake the extraction and the evacuation of humanitarian workers and United Nations personnel also remains a fundamental task. The escorts and convoys have been used mainly for United Nations agencies, whereas area security, through patrolling, has benefited the civilian population, United Nations agencies and NGOs, particularly those that, as a matter of principle and policy, chose to operate without security escorts. The provision of area security has been key for humanitarian actors in launching early recovery activities in areas of return for the IDPs.

B. Support to the Détachement intégré de sécurité

16. During the period under review, Mamadou Mountaga Diallo (Guinea) replaced Major-General Gerardo Chaumont (Argentina) as Police Commissioner, effective 28 December 2009. As at 22 April, 223 out of 300 authorized police officers were deployed to provide training, mentoring and monitoring for the Détachement intégré de sécurité (DIS).

17. On 5 February, 127 new recruits graduated from a two-month predeployment training course and joined DIS, whose strength stood at 813 as at 25 April. To date, 1,014 Chadian police and gendarmes have been trained by MINURCAT for DIS. Some 201 personnel have left DIS since its establishment owing to resignation (149), dismissal on disciplinary grounds (45), deployment to United Nations peacekeeping operations (8) or death (7). While there had been several cases of serious misconduct by DIS officers, including the unauthorized use of firearms, the number of dismissals on such grounds decreased during the reporting period.

18. From November 2009 to 21 March 2010, DIS conducted 5,194 day and night patrols around refugee camps, and in key towns that serve as bases for humanitarian activities. Refugee leaders reported that DIS patrols have contributed to an increased sense of security in the camps and have facilitated freedom of movement. During the same period, DIS conducted 2,095 security escorts, primarily for humanitarian actors. Meanwhile, in March and April 2010, the Government of Chad issued additional automatic weapons to DIS to enhance its deterrence capacity during escorts.

19. During the reporting period, DIS registered 466 complaints, of which 134 were sexual and gender-based violence-related, including 15 rapes. DIS also registered 43 cases of armed robbery and 7 incidents of infiltration of armed individuals, whether rebels or Chadian army personnel, into refugee camps. In response, during the reporting period, DIS arrested 366 individuals suspected of involvement in crime, of whom 185 were referred to the judicial authorities while the remainder were released following customary law settlements. DIS also recovered 15 out of the 20 hijacked vehicles and established security checkpoints in the vicinity of the camps where uniformed personnel visiting refugee camps are required to leave their weapons and ammunition.

20. In an effort to integrate DIS with local administration structures and encourage coordination, in January and February 2010 MINURCAT issued 20 VHF/HF radios to local Chadian authorities in each key town in eastern Chad. A single radio channel has been programmed to facilitate communication. MINURCAT plans provide for similar radio communications arrangements to be extended to all DIS locations. In January, the Mission launched free emergency call centres in 15 of the 19 DIS locations to provide the local population, refugees and IDPs easy access to DIS and other security forces. During the reporting period, MINURCAT also provided 94 vehicles to DIS, equipped with communications equipment, that were purchased through the United Nations trust fund that supports DIS.

21. During the reporting period, progress was made in increasing gender sensitivity within DIS and Chadian police authorities in general. In November 2010, the Chadian national police recruited 250 women officers, out of 4,903 candidates who applied for the posts, with support from MINURCAT. Their recruitment will increase the representation of women within the Chadian national police from 4 to 9 per cent. The Chadian authorities have also requested support to recruit 200 women for the national gendarmerie. Within DIS, the representation of women stands at 11 per cent.

22. To date, the United Nations trust fund that supports DIS received $24.7 million against the 2008-2009 requirements of $25.5 million. For 2010, the resource requirements for the support of DIS, justice and prisons activities in eastern Chad amount to $21.7 million. The European Union, and the Governments of France, Germany, Japan, Luxembourg, Norway and the United States have made generous pledges totalling $17.9 million, essentially for support to DIS, of which $6.8 million has been received to date.

C. Justice

23. The main challenges to the establishment of an efficient judicial sector in eastern Chad remain the security conditions for magistrates, the lack of basic infrastructure for courts and tribunals, the inadequacy of financial and human

resources allocated to the justice sector, the inadequacy or absence of training of judicial personnel, the ineffectiveness of disciplinary oversight mechanisms, the interference of administrative and security authorities in judicial matters, the absence of defence counsel and the prevalence of customary law mechanisms for dispensing justice, including on criminal matters. MINURCAT has assisted the Government to address these issues in accordance with national priorities contained in the Programme de Réforme de la Justice (PROREJ). In so doing, MINURCAT is working in coordination with the United Nations Development Programme (UNDP), the Office of the United Nations High Commissioner for Refugees (UNHCR) and the European Union-supported national justice programme Programme d'Appui à la Justice (PRAJUST).

24. During the reporting period, the Court of First Instance was opened in Iriba, with MINURCAT support for the Court's administration. The training of 150 *sous-préfets* and *agents sous-préfectoraux* as Justices of Peace, started in December 2009 and is expected to be completed in May 2010. UNDP, PRAJUST and MINURCAT are assisting with the training of an additional 50 DIS, the national gendarmerie and national police investigating officers in criminal law, rules and procedures and enforcement from 21 April to 21 May in Abéché.

25. The Maison des avocats of Abéché opened in February, with three lawyers continuously available as defence counsel in criminal and civil cases. A legal clinic with two paralegal staff will provide legal information and advice to vulnerable persons, with a special focus on refugees, IDPs, women and children. The Chadian Bar Association, national NGOs, UNDP, UNHCR and MINURCAT have supported this initiative. Additional funding will be necessary to open further legal clinics in eastern Chad and to ensure sustainability of these programmes.

D. Corrections

26. During the reporting period, MINURCAT continued to provide daily on-the-job training and mentoring to Chadian prison officials, in accordance with international standards. In this context, from 16 to 21 November 2009, 39 heads of prisons were trained in prison management techniques and training modules have been made available to the Chadian Ministry of Justice for use in future training.

27. The rehabilitation of the Abéché prison is expected to be completed by May 2010. Four quick-impact projects have been approved to refurbish the Iriba prison and improve the living conditions of female inmates. In addition, in December 2009, MINURCAT finalized a project proposal for the construction of a prison in Goz Beida, which is to be implemented subject to the availability of funding. MINURCAT also completed in January 2010 a technical assessment of the Adré prison, with a view to preparing a project proposal for its rehabilitation.

28. With the support of local NGOs, the Government has introduced skills training in the Abéché prison. In February, the Chadian Department of Basic Education commenced basic literacy classes in Arabic and French for staff and inmates at the Adré prison.

29. Progress notwithstanding, there continue to be major challenges to the implementation of prison reforms, including shortages of food and water, weak prison infrastructure, inadequate numbers of prison guards, and ineffective prison

management. The escape of 100 inmates from the Abéché prison on 15 April reflects the challenges in prison management.

E. Human rights

30. Sexual and gender-based violence remains one of the main human rights challenges in eastern Chad, representing 55 per cent of all documented incidents, with cases of rape, early and forced marriages, and female genital mutilation regularly reported. Most victims of sexual and gender-based violence are children. Perpetrators range from armed men, including from the Chadian National Army, to members of the victims' own communities. Girls, sometimes as young as 4 years old, have been victims of physical assaults in refugee camps and IDP sites, as well as in neighbouring villages.

31. During the reporting period, MINURCAT conducted 18 awareness-raising programmes for traditional and refugee leaders, women's groups, civil society and law enforcement officials. The overall level of reporting of sexual and gender-based violence incidents has increased. The number of incidents reported to DIS has risen from an average of five cases per month in 2009 to an average of 17 cases per month in the first quarter of 2010.

32. During the reporting period, authorities in eastern Chad reviewed 26 cases of prolonged pretrial detention and ill treatment, including 8 involving minors. Although detention conditions in eastern Chad have remained generally poor, and some detainees have been subjected to torture and ill treatment, Chadian law enforcement agents have been receptive to human rights training, in particular with regard to arrest and detention.

33. From 9 to 11 March 2010, the Ministry of Human Rights and the Promotion of Liberties organized a national forum on human rights in N'Djamena, with the support of MINURCAT. The Government of Chad submitted, for the first time in a decade, reports to the Committee against Torture, the Committee on the Rights of the Child, the Committee on Economic, Social and Cultural Rights, the Committee on the Elimination of Racial Discrimination and the Human Rights Committee.

F. Child protection

34. During the reporting period, MINURCAT documented the case of two minors aged 16 who deserted from the Chadian National Army in Tiné and presented themselves to DIS in the Touloum refugee camp on 6 November. The Mission was informed that the boys were refugees from the Ouré Cassoni refugee camp who had allegedly been recruited into the Chadian National Army in June 2009. Between January and February, the Mission corroborated the cases of six children, who, after deserting from JEM, returned to the Iridimi refugee camp. Details collected during the investigation confirmed that the minors, all males, were among eight children between 13 and 16 years who were recruited between 2007 and 2008 by JEM. In the Am Nabak refugee camp, the Mission documented the case of a 17-year-old minor who was reported to have joined JEM on 7 January 2010 and taken back to the camp by his mother shortly thereafter.

35. The Government of Chad has shown a consistent and clear commitment to fight the recruitment and use of children in armed conflict and to prevent violence against women. The Government has organized verification and sensitization visits to Chadian military camps and sites throughout the country.

36. The First Lady, Hinda Déby Itno, sponsored a national campaign to prevent violence against women and girls between 1 and 8 March 2010. MINURCAT, in coordination with UNFPA and the United Nations Children's Fund (UNICEF), is working with the Government to develop a national strategy and action plan with a view to ending violations against children.

G. Gender

37. During the reporting period, MINURCAT continued to support the Government in its efforts and initiatives to raise awareness about ending violence against women and children in the region, and to improve living conditions for women inmates in the Abéché prison. The Government of Chad launched, on 17 October 2009, a national sensitization campaign on the theme "Unite to End Violence against Women", with the support of the Mission. The campaign ran through December 2009.

38. In December 2009, MINURCAT trained 150 DIS personnel on gender issues. In March 2010, 26 DIS officers were trained in Abéché as gender focal points to enhance the capacity of DIS to respond adequately and provide protection to women and children in the refugee camps.

H. Civil affairs

39. During the reporting period, MINURCAT intensified its efforts to promote inter-community dialogue to defuse tensions in eastern Chad and to facilitate IDP returns. The Mission has worked in close cooperation with Chadian administrative and traditional authorities to revitalize sustainable local conflict resolution mechanisms. In the Dar Sila region, following tensions related to competition over scarce resources, the Mission arranged two separate reconciliation ceremonies, on 5 November 2009 between the Goz Amir refugees, IDPs in Aradib, and host communities in Koukou Angarana, and on 14 November 2009, between Dadjo, Arab and Ouaddaian communities in the return villages of Tiero and Marena.

40. In Guéréda, MINURCAT facilitated and provided substantial logistical support to a Government-organized workshop on peaceful coexistence from 19 to 21 January. The Minister of Interior and Public Security, together with traditional and administrative local authorities, attended the event, which produced recommendations and resolutions for peaceful coexistence. In the Ouaddaï region, the Mission supported local authorities in resolving disputes through the creation of local reconciliation commissions in Farchana, Galdawalga, Kawa and Miata and intensified its efforts to support follow-up mechanisms set up by local authorities to monitor the implementation of agreements reached between communities.

41. With the aim of supporting voluntary returns of IDPs, MINURCAT supported local authorities in Farchana in creating a local vigilance committee to improve security in the area. In support of local authorities, the Mission handed over a new

building to the *sous-préfecture/Coordination nationale d'appui à la force internationale à l'est du Tchad* (CONAFIT) in Farchana on 15 October 2009, and equipped the offices of Kobé prefecture in January 2010.

42. Inter-community dialogue, functioning local conflict-resolution mechanisms, strong administrative authorities and the creation of a secure environment remain necessary prerequisites for the voluntary return of IDPs. MINURCAT support in these substantive areas has yielded initial positive results, but they remain fragile and reversible. In order to sustain these efforts and capitalize on the momentum gained, MINURCAT intends to intensify its support to local authorities and implementing partners, through quick-impact projects and by creating effective follow-up mechanisms for inter-community dialogue events.

I. HIV/AIDS

43. During the reporting period, MINURCAT continued to mainstream HIV/AIDS awareness throughout the Mission activities, including training for all MINURCAT and DIS personnel. The Mission also supported Government and civil society initiatives with regard to HIV/AIDS and coordinated its work with NGOs and UNAIDS efforts to combat HIV/AIDS and prevent mother-to-child transmission. In December 2009, the Mission carried out HIV/AIDS awareness campaigns in IDP sites in Goz Beida and at secondary schools in Abéché. In March, the Mission rehabilitated a youth centre in Hadjer-Hadid to support youth initiatives to combat HIV/AIDS transmission among the population. It also provided and facilitated free access to voluntary HIV/AIDS confidential counselling and testing services for Mission personnel and the host population (1,953 tests).

J. Mine action

44. MINURCAT implements its mine action activities through MineTech International, in coordination with the Chadian National Demining Centre and the Regional Demining Centre, and in close collaboration with UNDP, the International Committee of the Red Cross (ICRC) and other United Nations agencies, funds and programmes involved in mine action in Chad.

45. During the reporting period, MINURCAT cleared 3,233,554 square metres of ground, verified 1,708 kilometres of roads, visited 362 communities and cleared 220 dangerous areas. Lack of resources and security restrictions have been the main constraints to the movement of the clearance teams, particularly to the Salamat region and north-eastern Central African Republic, which are believed to be contaminated with highly explosive remnants of war.

46. MINURCAT has developed a mine risk education project proposal for the period 2010-2011, which is currently under consideration by prospective donors. In January, the Mission set up a reporting system, related to explosive remnants of war, by which local communities are informed through local radio broadcasts, flyers and posters of the hazards associated with explosive remnants of war and ways of reporting their presence to the Mission.

IV. Mission support

47. During the reporting period, MINURCAT completed the installation of prefabricated accommodations for troops in Farchana and Abéché in December 2009 and January 2010, respectively, thus bringing MINURCAT operational and deployment capacity in these locations to full scale. In Goz Beida, installation is still under way. In Bahaï, Koukou Angarana and Guéréda the construction of the infrastructure, including security berms, landscaping, and water and sanitation facilities, were completed in March 2010 so that the troops could be accommodated in tents. The procurement process for the construction of the Birao camp was completed in February 2010, but is currently on hold.

48. In accordance with the memorandum of understanding between the Mission and the Government of Chad of 13 February 2009, MINURCAT officially returned to the Government the airport aprons in Abéché (western apron) and N'Djamena, on 9 January and 18 January 2010, respectively. Pending clarity on the future of the mandate of the Mission, the procurement process for the construction of Mission-dedicated aprons was put on hold. In the interim, MINURCAT continues to use the Government-provided aprons.

49. The Mission also made considerable progress in surveying and mapping of the water resources in the East, together with United Nations country team, which resulted in the compilation of a map reflecting the availability of water sources in the Mission area of responsibility. MINURCAT has also assisted the government authorities in identifying and developing new water sources. During the reporting period, in Iriba, MINURCAT drilled wells some 120 meters below the ground surface that, once heavy duty pumps and pipes are installed, are estimated to provide sufficient water for the population of the city for decades to come.

V. Safety and security

50. During the reporting period, the security phase remained at phase IV in northern and eastern Chad and at phase III in N'Djamena and southern areas. In north-eastern Central African Republic, security phase IV also remains in effect in the Mission area of operations.

VI. Discussions on the future of MINURCAT

51. On 15 January 2010, the Government of Chad addressed to me a note verbale requesting the United Nations to commence "negotiations" to determine the modalities for a withdrawal of MINURCAT effective 15 March 2010. In their discussions with Secretariat representatives, the Chadian interlocutors expressed their Government's dissatisfaction with the slow deployment of the MINURCAT force. They stated that the security environment on the ground had improved and that the Chadian security forces would be able to provide the necessary security and protection for vulnerable groups and humanitarian workers. They also contended that most of the acts of banditry and criminality were attended to by DIS in coordination with other national security services. They finally expressed their Government's frustration over the slow implementation pace of infrastructure projects that had been part of the mandate of MINURCAT. Notwithstanding the

above, Chadian authorities at all levels expressed their appreciation for the work of the MINURCAT civilian component.

52. From 26 January to 23 April 2010, I dispatched to Chad three successive Secretariat missions. The first, led by my former Military Adviser, Major-General (retired) Patrick Cammaert, sought to engage the authorities on possible options regarding the future of MINURCAT and, in so doing, how best to address the perceived shortcomings of the military component, including measures to make it more effective. In their engagements, representatives of the Government reaffirmed its commitment to ensuring the security of civilians and humanitarian workers and reiterated their request that the MINURCAT military component withdraw.

53. The second mission, undertaken at the request of the Security Council, was led by Under-Secretary-General for Peacekeeping Operations Alain Le Roy to explore the ways forward. These discussions culminated with President Déby's consent to the Secretariat to transmit to the Security Council a proposal for a two-month technical extension of the mandate to allow for further discussions on the modalities for the gradual withdrawal of the MINURCAT military force (from 16 May to 31 December 2010) and the continuation of its civilian component. With regard to the latter, Government representatives indicated that consideration could be given to a limited United Nations military presence, whose task would be to guard the United Nations camps from which the MINURCAT civilian component would operate.

54. The formal consent of the Government of Chad to a two-month technical extension of the mandate of MINURCAT was conveyed to the Council on 11 March (see S/2010/129), and was followed by the Security Council's adoption of resolution 1913 (2010) approving such an extension.

55. The third Secretariat mission, led by Youssef Mahmoud (Tunisia), arrived in Chad on 23 March. As at 1 April, Mr. Mahmoud assumed the functions of my Acting Special Representative for MINURCAT, replacing Victor Da Silva Angelo (Portugal), who completed his assignment on 31 March 2010.

56. On the basis of the deliberations of the Security Council on the outcome of the first and second missions, my Acting Special Representative and his Chadian counterparts initiated several rounds of consultations that culminated on 23 April in an agreement on a number of proposals to be transmitted to the Security Council, should it decide to adopt a revised mandate for MINURCAT with effect on 16 May. These proposals are organized under the following headings and include my recommendations for a revised mandate, for consideration by the Security Council.

Protection of civilians by the Government of Chad starting 16 May

57. Effective 16 May 2010, the current mandate of MINURCAT for the protection of civilians will cease. Thereafter, the Government of Chad will exercise its sovereign responsibility to ensure the security and the protection of the civilian population in eastern Chad, including refugees, IDPs, returnees and host communities, with a particular focus on women and children, United Nations and humanitarian personnel and assets, in accordance with its obligations under international humanitarian, human rights and refugee law. In so doing, the Government undertook to carry out the following tasks, in conformity with the spirit and the letter of paragraph 7 of Security Council resolution 1861 (2009):

(a) To assume the security and protection of civilians in danger, particularly refugees and IDPs;

(b) To facilitate the delivery of humanitarian aid and the free movement of humanitarian personnel by improving security in eastern Chad;

(c) To ensure the security and freedom of movement of MINURCAT staff and United Nations and associated personnel.

58. The Government of Chad also took due note of what the responsibility for the protection of the civilians entails, under international humanitarian law, and undertook to work towards the achievement of the benchmarks, as outlined in paragraph 25 of Security Council resolution 1861 (2009):

(a) Voluntary return and resettlement in secure and sustainable conditions of a critical mass of IDPs;

(b) Demilitarization of refugee and IDP camps as evidenced by a decrease in arms, violence and human rights abuses;

(c) Improvement in the capacity of Chadian authorities in eastern Chad, including national law enforcement agencies, the judiciary and the prison system to provide the necessary security for refugees, IDPs, civilians and humanitarian workers with respect for international human rights standards.

59. Should the Security Council decide to authorize a revised mandate for MINURCAT, progress against the above-mentioned benchmarks will be assessed in July and October 2010 by a joint Government of Chad/United Nations working group. The Government and MINURCAT will also establish a forum to foster dialogue and collaboration with a view to reaching a common understanding of shared roles and responsibilities on issues relating to the protection of civilians, humanitarian access, and safety and security arrangements of humanitarian actors and in order to impact positively on humanitarian and early recovery initiatives. The forum will involve relevant authorities both at the ministerial level in N'Djamena and at the local level in eastern Chad.

60. The security tasks related to the protection of refugees, IDPs and humanitarian workers will be carried out by its police forces, primarily DIS. With the support of the MINURCAT police, DIS will continue to provide escorts for humanitarian convoys and community policing. Local level security coordination mechanisms that have been established by the Chadian Government and MINURCAT are to be further strengthened to ensure strong lines of communication with all security forces and local authorities, including the *Bureaux de la Protection et des Escortes*.

61. It is foreseen that DIS would be increased from its current strength of 850 to up to 1,000 elements, as resources are made available. The Government will ensure that gender balance within DIS continues to be taken into account during the recruitment and rotations. This is particularly important, given that women and children represent the majority of the refugee and IDP population.

Proposed revised MINURCAT mandate

62. Paragraphs 63 to 83 of the present report contain recommendations on the future mandate of MINURCAT, including for an initial six-month transition to full reliance by the United Nations on the provision by the Government of Chad for the

security of MINURCAT civilian and United Nations country team humanitarian workers, and the implementation of enhanced United Nations security phase IV procedures and working conditions, which all United Nations personnel will be obliged to follow without exception. A further extension may be needed to enable the Government of Chad and MINURCAT to consolidate the sustainability of DIS and the handover to the Government, with the support of other partners, of the work undertaken by the Mission in the judicial, penal, local level conflict resolution and human rights fields, as described below.

MINURCAT civilian concept and tasks

63. Should the Security Council so decide, under a revised mandate, MINURCAT will continue to perform the tasks outlined under paragraph 6 (c) to 6 (i) of Security Council resolution 1861 (2009) in the areas of rule of law, human rights and civil affairs, and mine action assistance to the Government in fulfilling its responsibilities for protection in eastern Chad. The guiding principles that will underpin all MINURCAT future activities will be their effectiveness and sustainability. Moreover, every effort will be made by the Mission and the United Nations country team and other international partners to conduct jointly in an integrated manner interventions that, in addition to their intrinsic value, present socio-economic recovery opportunities that benefit IDPs and host communities.

Civilian police component

64. The MINURCAT police component will continue to carry out the tasks outlined under paragraph 6 (a) and 6 (b) of resolution 1861 (2009). Specifically, the MINURCAT police will continue to train, mentor and support the efforts of the Government of Chad to achieve self-sustainability of DIS as a professional law enforcement entity.

65. A joint Government of Chad/United Nations working group will be established with the objective of reviewing the key tasks required to strengthen the capacity of DIS to provide security inside and around refugee and IDP camps, security escorts and area security, including by supporting DIS coordination with the gendarmerie, the nomad national guard, and the Chadian army which is responsible for border security and external threats. The working group will develop a plan for the progressive handover to the Government of the administrative, financial and logistical support to DIS. This working group will review, inter alia:

(a) Training of DIS personnel and its judicial police in investigative techniques and electronic tracking systems, as well as radio, security escorts, and international humanitarian law, starting in June 2010;

(b) Selection and training of 10 additional DIS trainers starting in June 2010;

(c) Possible training of DIS personnel in the provision of area security;

(d) Training in the maintenance of the DIS vehicle fleet, and further training of DIS personnel in driving skills; the recruitment of 50 drivers and 25 car mechanics starting in July 2010 within the authorized DIS strength;

(e) Possible deployment of DIS to new areas (e.g., Haraze and Daha);

(f) DIS organizational structure and coordination mechanisms with other local security forces, including by exploring technical and financial modalities for

setting up operation centres in governorates, prefectures and sous-prefectures, so that local authorities work directly with DIS in a sustainable manner;

(g) Progress made in DIS-related infrastructure projects listed in paragraph 71 below.

66. In the course of their discussions, MINURCAT and the Government of Chad have agreed to recommend that the number of DIS elements be increased from its current strength of 850 to as many as 1,000 within available resources, subject to the approval of the Security Council.

67. In pursuit of the objectives outlined in paragraph 65 above, the Government of Chad and the United Nations will revise, as necessary, the memorandum of understanding between the United Nations and the Government of Chad governing the operations of DIS.

68. In order to increase the pool of women candidates who can more easily integrate into DIS, MINURCAT will continue to support the Government of Chad in the recruitment and training of 200 women gendarmerie officers and the training of the 250 women who have already been recruited by the national police.

69. During the first six months of the transition phase, ideally, the MINURCAT police will be co-located with DIS, depending on the security situation at any given time and the requirements of an enhanced United Nations security phase IV regime.

70. Some 226 of the 300 MINURCAT police authorized are currently deployed. It is recommended that the current strength be maintained for the first six months of the revised mandate; thereafter recommendations will be made as to the exact requirements of the MINURCAT police component.

71. In order to consolidate the support structures necessary for the sustainability of DIS, it will be essential that MINURCAT provide the following support:

(a) Rehabilitation of the DIS Police School and building of dormitories in N'Djamena, starting in June 2010;

(b) Construction of six police stations and 13 DIS posts in eastern Chad, starting in August 2010;

(c) Digging of wells and installation of pumps in each of the 19 DIS locations in eastern Chad, starting in October 2010.

MINURCAT military component

72. Following the decision of the Government of Chad to assume full responsibility for the security and the protection of the civilian population, MINURCAT will reconfigure its military component to facilitate the civilian component of MINURCAT and the United Nations country team to transition to host country security mechanisms and enhanced United Nations security phase IV accommodations and security procedures. In so doing, the military component of MINURCAT will carry out the following mainly static tasks:

(a) Provision of security for MINURCAT personnel in their base locations, facilities, installations and equipment;

(b) Maintenance of situational awareness in the vicinity of MINURCAT locations;

(c) Provision of escort for United Nations military personnel carrying out enabling support functions;

(d) Provision of extraction support for United Nations and humanitarian personnel in extremis;

(e) Within capability, provision of medical evacuation support for United Nations personnel.

73. The military component will reduce its current military area of responsibility by excluding the present Sector North and the Salamat prefecture; however, it will undertake medical and in extremis evacuation throughout the entire Mission area of responsibility.

74. Practical modalities for the execution of the provision contained in paragraph 72 (d) above will be worked out with MINURCAT and the Government of Chad and its security forces, as well as humanitarian actors, to ensure the effectiveness of such an operation and common understanding of roles and responsibilities.

75. Given the reduction in MINURCAT military capabilities, the force would operate under Chapter VI of the Charter of the United Nations and modify its rules of engagement to support such operations, that is, the use of force in self-defence. The military component will be deployed in two primary locations, Farchana and Goz Beida, and will maintain forward headquarters and a logistics base in Abéché and a small rear headquarters in N'Djamena. MINURCAT will endeavour to reduce its military presence in Abéché to the extent possible, and as quickly as possible.

76. Subject to the decision of the Security Council, effective 16 May, the Mission military component will be reduced from its current 3,300 strength in Chad out of its authorized strength of 4,900 under resolution 1861 (2009) to 1,400 troops and 500 support elements. The number to be withdrawn will therefore be approximately 1,400 troops. MINURCAT, with the support of the Government of Chad, will ensure the withdrawal of these 1,400 troops by 15 July 2010. The remaining 1,900 troops will be in Chad until 15 October 2010, when they will cease all operations and commence their final withdrawal, subject to approval by the Security Council.

North-eastern Central African Republic

77. With regard to the MINURCAT presence in north-eastern Central African Republic, currently 300 troops are authorized to secure the airfield and provide limited patrolling and extraction capability. The President of the Central African Republic, François Bozizé, in a letter to me dated 15 February, requested that, should MINURCAT withdraw, the assets of the Mission in north-eastern Central African Republic be transferred to the Government. Subsequently, in his meeting with my Acting Special Representative, the President and the Prime Minister reiterated the above request and emphasized that the destabilizing capacity of armed groups exceeds the capacity of the national security forces. In this regard, President Bozizé sought assistance from the United Nations for the training and equipping of his security forces in north-eastern Central African Republic so that they may prevent incursions and secure that part of the border with Chad and the Sudan.

78. It is proposed that MINURCAT be authorized under a Chapter VI mandate in north-eastern Central African Republic with a troop strength of 300 (all ranks). This element will be responsible for securing the airport in Birao and providing for

limited extraction operations for humanitarian workers. Since the supply and the sustainment of these troops is dependent on the force presence in Chad, MINURCAT will cease its operations in north-eastern Central African Republic and will start withdrawing as the main force commences withdrawal from Chad in October 2010.

Further considerations

79. Should the mandate of MINURCAT be extended beyond 15 May 2010, additional infrastructure work would be undertaken to enable MINURCAT to support the Government of Chad to fulfil its protection mandate and mitigate the negative impact that its operations may have on the existing infrastructure and economy in eastern Chad. In addition to the direct support to DIS (see para. 71), this would also entail:

(a) Digging four additional wells and installing pumps in Biteha to benefit the city of Abéché, which will start in June 2010;

(b) Repair and maintenance of main roads leading to MINURCAT camps;

(c) Maintenance of airfields and runways used by MINURCAT in Farchana, Goz Beida, Bahaï, Iriba, Guéréda and Birao;

(d) Quick-impact projects to support related to the infrastructure component of the recovery of host communities, in coordination with the United Nations country team.

80. In addition to the above, the Government of Chad has requested that MINURCAT honour its earlier commitment to build an apron and terminal at the N'Djamena airport.

81. The Government of Chad and MINURCAT will meet in October 2010 to jointly review progress on infrastructure work mentioned in paragraphs 71 and 79 above. The Government of Chad will take all necessary measures to ensure that MINURCAT will obtain all required approvals to perform construction works without delay, and to grant unrestricted access to all areas of construction, for personnel and equipment of the United Nations and its contractors.

82. Should the mandate of MINURCAT be extended beyond 15 May 2010, the Mission will liaise with the Government of Chad and UNHCR in support of their efforts to relocate refugee camps that are in close proximity to the border, and to provide to UNHCR, on availability and cost-reimbursable bases, logistical assistance for that purpose.

83. In order to enable MINURCAT to fulfil its mandate in full, the Government of Chad reiterated to my Acting Special Representative its commitment to fully respect all provisions of the Status of Mission Agreement of 21 March 2008 and its amendment of 15 October 2009, and in particular to ensure full freedom of movement of MINURCAT, its members and its contractors, as well as of their vehicles and aircraft, and to grant exemptions from all taxes, fees, charges and other duties, as provided under the Agreement and its amendment, for the whole duration of the mandate of the Mission, but also until its liquidation and the final departure of all its military and civilian personnel from Chad.

VII. Financial aspects

84. The General Assembly, by its resolution 63/274 B of 30 June 2009, appropriated the amount of $690.8 million for the maintenance of MINURCAT for the period from 1 July 2009 to 30 June 2010.

85. Should the Security Council decide to extend the mandate of MINURCAT beyond 15 May 2010, it would be my intention to utilize resources already approved by the General Assembly for the Mission for the current financial period ending 30 June 2010, and to include resource requirements arising from the Council's decision in my proposed budget for MINURCAT for the 2010/11 period, to be submitted to the General Assembly during the main part of its sixty-fifth session.

86. As at 31 March 2010, unpaid assessed contributions to the Special Account for MINURCAT amounted to $28.7 million. The total outstanding assessed contributions for all peacekeeping operations as at that date amounted to $1,725.7 million.

87. As at 31 March 2010, amounts owed to troop contributors to MINURCAT totalled $3.8 million. Reimbursement of troop- and contingent-owned equipment costs have been made for the period up to 28 February 2010 and 31 December 2009, respectively, in accordance with the quarterly payment schedule.

VIII. Observations and recommendations

88. The central point of contention between the United Nations and the Chadian authorities arose when the latter made it clear that they would, following the end of the mandate of MINURCAT on 15 May, bear the primary responsibility for the security and protection of civilians. And as a consequence, they saw no justification for the continuation of the military component of the Mission. In support of this decision, the Government cited the enhanced capacity of its security forces, the marked improvement of relations between Chad and the Sudan, the reaching out to their respective armed political movements, and the subsequent deployment of joint patrols along their common frontier, which enhanced security and allowed the reopening of the border at three points and the resumption of cross-border trade. In this regard, I wish to commend Presidents Déby and Al-Bashir for these positive developments, and I encourage them to persevere.

89. The robust posture of the Chadian forces along their eastern border with the Sudan and the clear public and private messages sent to provincial governors in eastern Chad on their responsibility for providing security to civilians, including refugees and IDPs, are encouraging.

90. Notwithstanding the views of the Government of Chad on the performance of the military component of MINURCAT, the period covered by this report clearly shows that, even with the current reduced number in the area of operation, the military men and women serving under the United Nations flag in eastern Chad and north-eastern Central African Republic have made in the past three months commendable contributions to the protection of civilians and the safety and security of humanitarian workers. I wish to record here my deep appreciation for their service.

91. Despite the differing evaluation of the work of the military component, there is unanimity of views regarding the positive support provided by the civilian component in eastern Chad. As the report shows, the performance of DIS has improved with the help of the MINURCAT police and other international partners. Notable advances have also been highlighted in the promotion of the rule of law, including human rights, particularly of women and children, in the reform of the judicial system, the fight against sexual and gender-based violence, and the enhancement of local governance structures, as well as in the area of social cohesion between the refugees, the displaced and the host communities. These achievements would not have been possible without the commitment of the Chadian authorities at all levels.

92. The proposed mandate, arising from the last round of discussions between the United Nations and the Government of Chad, aims at safeguarding the advances outlined in the report and ensuring their sustainability, while allowing for a gradual and phased withdrawal of the military component.

93. Should the Council decide to adopt a new mandate for MINURCAT, a phased approach will enable the Mission to gradually transit from a Chapter VII mandate to a Chapter VI mandate and allow for the enhanced United Nations staff security regime to be in place before MINURCAT troops commence their final withdrawal in October 2010. Another advantage of such an approach is that it will permit those humanitarian actors who currently benefit from the armed escort and patrols of the military component to gradually adjust their deployment and modus operandi. More importantly, it will allow the United Nations entities in Chad to organize themselves differently and integrate their activities to enhance their sustainability and impact.

94. Given the time required to effectively manage the above transitions and the fact that many of the projects proposed to support DIS will necessarily go beyond the end of 2010, I recommend that the Council approve a revised mandate for MINURCAT for one year. The review foreseen in October 2010 will inform my report to the Council at the end of the first six-month period.

95. In making the above proposal, I am mindful that Chad is situated in a region that, despite some recent positive developments, remains fragile. The continued instability in the north-eastern part of the Central African Republic bordering Chad and the Sudan is of particular concern. This accounts for the continuing presence, until further notice, of a MINURCAT contingent of 300 soldiers in that region near the town of Birao. As the Council debates the future of MINURCAT, it ought to examine also the future of that presence, taking into account the views of the Central African authorities, as expressed in the body of this report.

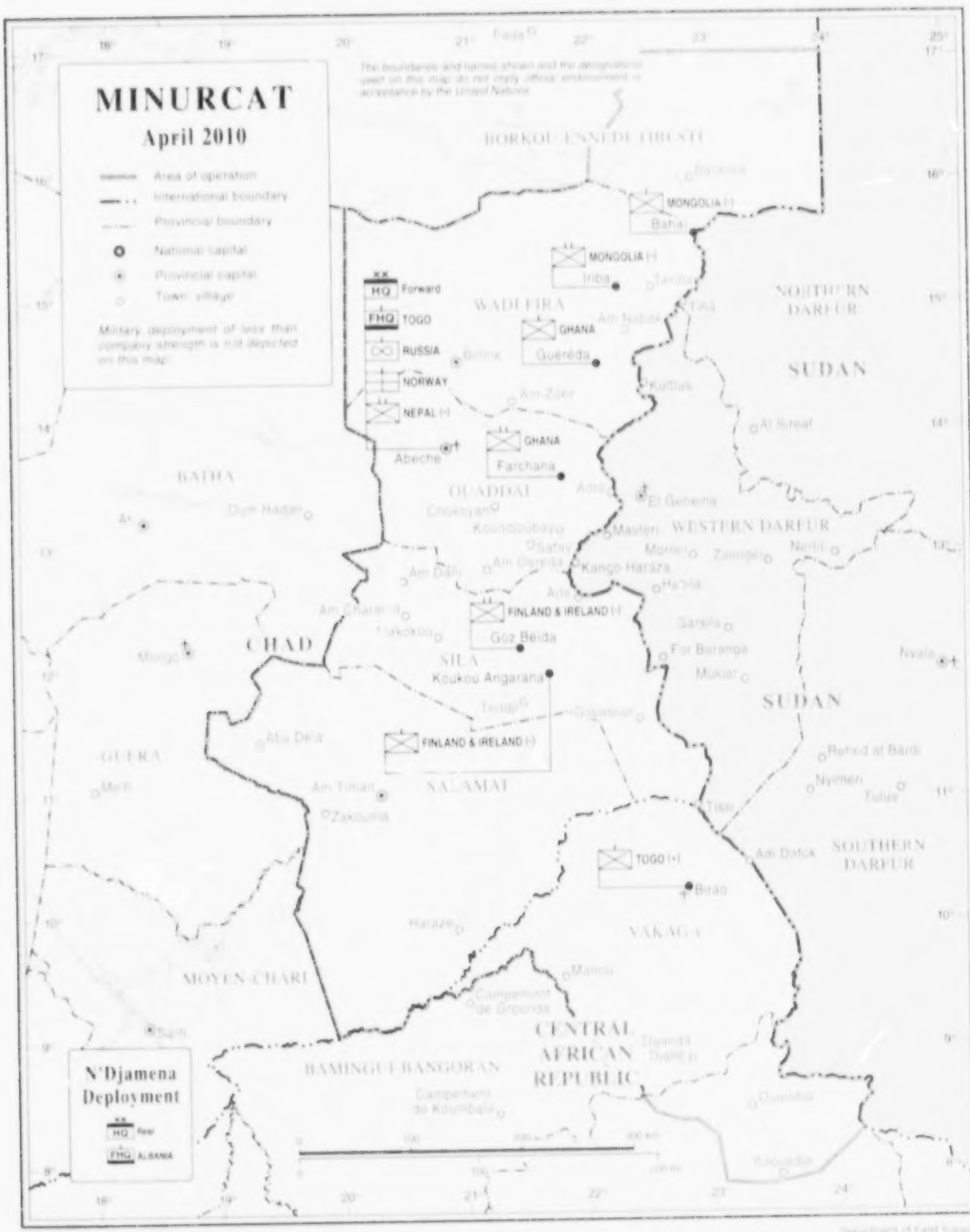
96. Finally, I wish to thank my former Special Representative Victor Da Silva Angelo and the staff of MINURCAT for their tireless efforts in bringing the Mission to an operational level that made possible, despite many hurdles, the commendable results outlined in this report. I also wish to thank Youssef Mahmoud, my current Acting Special Representative, for shepherding the negotiations with the Government of Chad on the future of the Mission. Finally, I wish to extend my gratitude to all staff of the United Nations system in Chad and to the international partners for their generous contributions to the work of MINURCAT.

Annex

Military and police strength as at 23 April 2010

	Military				
Country	*Liaison officers*	*Staff officers*	*Troops*	*Total*	*Civilian police*
Albania	0	0	63	63	0
Bangladesh	2	8	144	154	0
Benin	1	1	0	2	23
Brazil	3	0	0	3	0
Burkina Faso	0	2	0	2	24
Burundi	0	0	0	0	8
Cambodia	0	0	40	40	0
Cameroon	0	0	0	0	9
Congo (Democratic Republic of)	0	1	0	1	0
Côte d'Ivoire	0	0	0	0	33
Egypt	1	1	0	2	9
Ethiopia	0	4	0	4	0
Finland	0	1	75	76	3
France	0	0	0	0	16
Ghana	1	10	799	810	0
Guinea	0	0	0	0	7
Ireland	0	11	407	418	0
Jordan	0	0	0	0	19
Kenya	0	4	0	4	0
Madagascar	0	0	0	0	16
Malawi	0	2	0	2	0
Mali	1	0	0	1	10
Mongolia	0	4	264	268	0
Nepal	1	7	847	855	0
Niger	0	0	0	0	3
Nigeria	2	9	0	11	0
Norway	0	2	119	121	0
Pakistan	2	4	0	6	0
Poland	0	2	0	2	0
Portugal	0	0	0	0	4
Russian Federation	0	0	120	120	0
Rwanda	1	0	0	1	1
Senegal	3	13	0	16	7
Serbia	0	0	3	3	0
Sri Lanka	0	0	6	6	0

Country	Military				Civilian police
	Liaison officers	Staff officers	Troops	Total	
Togo	0	2	450	452	4
Tunisia	4	3	0	7	0
Turkey	0	0	0	0	3
United States of America	0	2	0	2	0
Yemen	1	0	0	1	27
Total	**23**	**93**	**3 337**	**3 453**	**226**



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